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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,975	07/25/2001	Timothy P. Justice	10003943-1	8162

7590 02/18/2005

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

PAULA, CESAR B

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/915,975		JUSTICE ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	CESAR B. PAULA		2178	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 October 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-7,9-13,15-17 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5,6,11,12 and 16 is/are allowed.
- 6) ☒ Claim(s) 1,3,4,7,9-10,13,15 and 17-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to the amendment filed on 10/26/2004.

**This action is made Final.**

2. In the amendment, claims 19-22 have been added. Claims 2, 8, 14, and 18 have been canceled. Claims 1, 3-7, 9-13, 15-17, and 19-22 are pending in the case. Claims 1, 7, 13, and 17 are independent claims.

### *Drawings*

3. The drawings filed on 7/25/2001 have been approved by the examiner.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1, 3, 7, 9, 13, 15, and 17 remain, and claims 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Ricker et al, hereinafter Ricker (US Pub.# 2002/0049790 A1, 4/25/2002, Provisional application filed on 8/8/2000)

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Regarding independent claim 1, Ricker discloses the transformation of an EDI formatted document—*text file*-- into XML formatted document, where XML -- *indiscriminate language*-- which defines other languages in system for processing data--*a processor based system*. The XML document is then transformed into an HTML document—*discriminate markup file*, which describes a language specific format-- by the system for display on the web (0043-0046, 0048-0058). Both the XML, and HTML document are formatted in a markup language, which consists of syntactically delimited—*discriminating tags*—data with elements to represent the data (0031, 0061). For example, the XML line: “<**name type=“employee”**>John</**name**>“, where the bold tags are different from the name “John” --*bears no relation to a nature of the line of text nested therebetween*.

Regarding claim 3, which depends on claim 1, Ricker teaches using a XSL stylesheet, which has instructions for translating data, such as the XML document into an HTML document--*indiscriminate markup file into the discriminate markup file*. The XSL stylesheet is applied to transform the document from XML to HTML--*implementing set of discrimination instructions* (0044, 0046, and 0078).

Claims 7, 9 are directed towards a program for performing the steps found in claims 1, 3 respectively, and therefore are similarly rejected.

Claims 13, 15 are directed towards a system for implementing the steps found in claims 1, 3 respectively, and therefore are similarly rejected.

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Claim 17 is directed towards a system for performing the steps found in claim 1, and therefore is similarly rejected.

Regarding claim 19, which depends on claim 1, Ricker teaches that data values--*each lines of the text file--* in the EDI--*text file--* are placed within a pair of start and end tags in an XML document--*indiscriminate markup file* (0056-0058, 0073). The pair of tags are the same, such as the "<name> </name>" tags.

Claim 20 is directed towards a program for performing the steps found in claim 19, and therefore is similarly rejected.

Claims 21-22 are directed towards a system for implementing the steps found in claim 19, and therefore are similarly rejected.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, and 10 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Ricker in view of "Laura Lemay's Web Workshop Creating Commercial Web pages", Lemay et al, hereinafter Lemay, Sams, 1996, pp. 435-439.

Regarding claim 4, which depends on claim 3, Ricker teaches using a stylesheet, which has instructions for translating data--*discrimination instructions to transform the markup file--* such as the XML document into an HTML document--*indiscriminate markup file into the discriminate markup file*. An XSL stylesheet is applied to transform the document from XML to HTML format (0044, 0046, 0056-0058, and 0078). Ricker fails to explicitly disclose *the discriminate markup file with a pair of associated discriminating tags*. However, Lemay teaches HTML document having start and end tags (page 435-439). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ricker, and Lemay, because Ricker teaches syntactically delimiting data in order to represent of describe the data (0031). Thus enabling a user to quickly identify the type of data being described.

Claim 10 is directed towards a program for performing the steps found in claim 4, and therefore is similarly rejected.

#### ***Allowable Subject Matter***

8. Claims 5-6, 11-12, and 16 are allowed.

#### ***Response to Arguments***

9. Applicant's arguments filed 10/26/2004 have been fully considered but they are not persuasive. Regarding claims 1, 3, 7, 9, 13, 15, and 17, the Applicant submits that an EDI

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document is not a text file (page 10, lines 8-10). The Examiner disagrees, because Ricker shows an EDI file in plain text (0049), as claimed by Applicant. The text, such as "N1\*ST\*John Doe", is recognizable and readable by a human person.

Moreover, Applicant indicates that Ricker does not teach the newly added limitation of indiscriminate tags bearing no relation to a nature of the text in each line (page 11, lines 6-16). The Examiner disagrees, because Ricker discloses that both the XML, and HTML document are formatted in a markup language, which consists of syntactically delimited—*discriminating tags*—data with elements to represent the data (0031, 0061). For example, the XML line: "**<name type="employee">John</name>**", where the bold tags are different from the name "John" --*bears no relation to a nature of the line of text nested therebetween*.

Regarding claim 4, Applicant asserts that the combination of Ricker and Lemay does not teach or suggest a discrimination stylesheet that includes discrimination instructions for transforming the indiscriminate markup file into the discriminate markup file (page 11, lines 32-35). The Examiner disagrees, because Ricker teaches using a stylesheet, which has instructions for translating data--*discrimination instructions to transform the markup file*-- such as the XML document into an HTML document--*indiscriminate markup file into the discriminate markup file*. An XSL stylesheet is applied to transform the document from XML to HTML format (0044, 0046, 0056-0058, and 0078). Ricker fails to explicitly disclose *the discriminate markup file with a pair of associated discriminating tags*. However, Lemay teaches HTML document having start and end tags (page 435-439). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ricker, and Lemay, because Ricker teaches

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syntactically delimiting data in order to represent or describe the data (0031). Thus enabling a user to quickly identify the type of data being described.

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Balani (US Pub. 20030007464).

I. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.



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Any response to this Action should be mailed to:

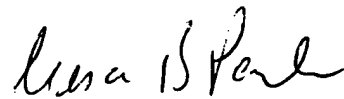
Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

- (703) 703-872-9306, (for **all** Formal communications intended for entry)



CESAR B PAULA  
PRIMARY EXAMINER  
AU 2178

2/17/05